

REMARKS

The Examiner has provisionally rejected claims 1, 2, 11, 12 and 13 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1, 9 and 15 of co-pending U.S. Patent Application Serial No. 10/519,060.

Applicant acknowledges that the Terminal Disclaimer previously filed on July 17, 2009, has been deemed improper in that the signor's registration no. was missing.

Enclosed herewith is a new Terminal Disclaimer indicating said co-pending application, signed by the undersigned attorney and properly indicating the registration no. of the undersigned.

In view of the above, Applicant believes that claims 1-3 and 11-15 should now be allowed.

Applicant further believes that claims 4-10, as depending either directly or indirectly from claim 1, should be reinstated and allowed.

Applicant therefore believes that the subject application, containing claims 1-15, is now in condition for allowance, and such action is respectfully requested.

Respectfully submitted,

by /Edward W. Goodman/
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